

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2018 FEB 15 PM 3:41

DEPUTY CLERK RAN

UNITED STATES OF AMERICA

v.

NO. 3:17-CR-459-L

BYRON KEITH RISER

FACTUAL RESUME

In support of Riser's plea of guilty to the offense in Count Two of the Indictment, Riser, the defendant, Courtney Stamper, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count Two of the Indictment, charging a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(D), that is, Possession with Intent to Distribute a Controlled Substance, the government must prove each of the following elements beyond a reasonable doubt:¹

- First.* That the defendant knowingly possessed a controlled substance;
- Second.* That the substance was in fact a mixture or substance containing a detectable amount of marijuana; and
- Third.* That the defendant possessed the substance with the intent to distribute it.

STIPULATED FACTS

1. On or about July 13, 2017, in the Dallas Division of the Northern District of Texas and elsewhere, the defendant, **Byron Keith Riser**, knowingly possessed with

¹ Pattern Crim. Jury Instr. 5th Cir. 2.93 (2015).

intent to distribute a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1) & (b)(1)(C).

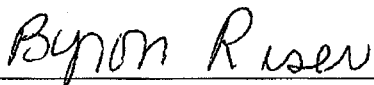
2. More specifically, on July 13, 2017, in the Dallas Division of the Northern District of Texas, Riser sold approximately 12 grams of marijuana to another individual.

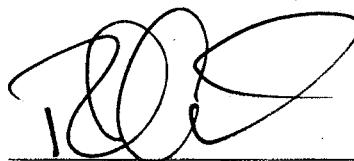
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3. The defendant agrees that the defendant committed all the essential elements of the offense. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count Two of the Indictment.

AGREED TO AND STIPULATED on this 15th day of February, 2018.

ERIN NEALY COX
UNITED STATES ATTORNEY


BYRON KEITH RISER
Defendant


COURTNEY STAMPER
Attorney for Defendant


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